

EFFECTIVE DATE OF 1991 AMENDMENT

Section 2 of Pub. L. 102-216 provided that: “The amendment made by this Act [amending this section] shall take effect on October 1, 1991.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 36 section 2113.

CHAPTER 22—FEDERAL TRIANGLE DEVELOPMENT

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§ 1101. Findings and purposes

(a) Findings

The Congress finds and declares that—

(1) it is in the national interest to build a Federal building complex and establish an international cultural and trade center on the Federal Triangle property in the District of Columbia;

(2) development of such a Federal building complex will permit consolidation of a number of Federal agencies which are currently housed in numerous, scattered locations and will enable more economical and efficient use of building space and environs;

(3) inclusion of an international cultural and trade center within the Federal building complex will create and enhance opportunities for American trade, commerce, communications, and cultural exchanges with other nations and complement the work of Federal, State, and local agencies in the areas of international trade and cultural exchange; and

(4) the appropriate development, maintenance, and use of the Federal Triangle property should be a joint development effort of the General Services Administration, the Pennsylvania Avenue Development Corporation, and the International Cultural and Trade Center Commission.

(b) Purposes

The purposes of this chapter are as follows:

(1) To transfer the Federal Triangle property from the Administrator of General Services to the Pennsylvania Avenue Development Corporation.

(2) To grant to the Corporation the power of eminent domain to acquire certain properties and rights-of-way adjacent to the Federal Triangle site and to authorize the Corporation to exercise such power as may be necessary to further the public interest.

(3) To authorize the Corporation, after consultation with the Secretary of State, the Administrator, and the Commission, to prepare plans for development of such property.

(4) To establish a process for review and selection of such plans and, after completion of such review process, to authorize the Corporation to enter into an agreement with a private developer selected for the development of such property.

(5) To ensure that the design and construction of the Federal building complex on such property will insofar as practicable be in accordance with the guiding principles for Federal architecture recommended by the Committee on Federal Office Space in 1962 which require among other things that facilities to be used by Federal agencies be efficient and economical and that public buildings provide visual testimony to the dignity, enterprise, vigor, and stability of the Federal Government.

(6) To provide for establishment, operation, and maintenance of a self-sustaining international cultural and trade center in such complex.

(Pub. L. 100-113, §2, Aug. 21, 1987, 101 Stat. 735.)

SHORT TITLE

Section 1 of Pub. L. 100-113 provided that: “This Act [enacting this chapter] may be cited as the ‘Federal Triangle Development Act’.”

DISSOLUTION OF PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

Pennsylvania Avenue Development Corporation dissolved on or before Apr. 1, 1996, and assets, obligations, indebtedness, and unobligated and unexpended balances of Corporation transferred, see section 872 of this title.

DESIGNATION OF DANIEL PATRICK MOYNIHAN PLACE

Pub. L. 106-567, title III, §310, Dec. 27, 2000, 114 Stat. 2841, designated as “Daniel Patrick Moynihan Place” a parcel of land located in Woodrow Wilson Plaza in the

northwest quadrant of Washington, District of Columbia, directed the Administrator of General Services to erect appropriate gateways or other markers to denote that place, and provided that any reference in a law, map, regulation, document, paper, or other record of the United States to that parcel of land was to be deemed to be a reference to Daniel Patrick Moynihan Place.

DESIGNATION OF RONALD REAGAN BUILDING AND
INTERNATIONAL TRADE CENTER

Pub. L. 104-68, Dec. 22, 1995, 109 Stat. 766, provided that:

“SECTION 1. DESIGNATION.

“The Federal Triangle Project under construction at 14th Street and Pennsylvania Avenue, Northwest, in the District of Columbia, shall be known and designated as the ‘Ronald Reagan Building and International Trade Center’.

“SEC. 2. REFERENCES.

“Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the ‘Ronald Reagan Building and International Trade Center’.”

DESIGNATION OF WOODROW WILSON PLAZA

Pub. L. 103-284, Aug. 1, 1994, 108 Stat. 1448, provided: “That the plaza to be constructed on the Federal Triangle property in Washington, DC as part of the development of such site pursuant to the Federal Triangle Development Act (Public Law 100-113) [this chapter] shall be known and designated as the ‘Woodrow Wilson Plaza’.”

§ 1102. Federal Triangle property

(a) Transfer to PADC

(1) General rule

Subject to such terms and conditions as the Administrator and the Corporation may establish, the Administrator shall transfer, without compensation, to the Corporation title to the Federal Triangle property for development under this chapter.

(2) Duration of transfer

Title to the Federal Triangle property shall revert to the Administrator at such time as the Administrator and the Corporation agree but not later than the date on which ownership of the building to be constructed on such property under section 1104 of this title vests in the United States. On and after such date, title to such building shall be in the Administrator.

(3) Legal description

The exact acreage and legal description of the Federal Triangle property shall be based upon surveys which are satisfactory to the Administrator and the Corporation.

(b) Adjoining property and rights-of-way

(1) Acquisition

The Corporation may acquire by purchase, exchange, condemnation, or otherwise such additional property or improvements or interest therein (including any portion of any street, roadway, highway, alley, or right-of-way and any easements to and air rights on or above any public lands or rights-of-way) as are necessary for development of the Federal Triangle property.

(2) Transfer to GSA

At the time title to the Federal Triangle property reverts to the Administrator under subsection (a) of this section, the Corporation shall transfer to the Administrator, without compensation, title to any property or interest therein acquired under this subsection and improvements thereon.

(Pub. L. 100-113, § 3, Aug. 21, 1987, 101 Stat. 736.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1109 of this title.

§ 1103. Development proposal

(a) Preparation and contents

The Corporation shall prepare a written proposal for development of the Federal Triangle property which shall include, but not be limited to, the following:

(1) A narrative description of the building to be constructed on the Federal Triangle property, including a description of the types of uses both public and private to be permitted in the building.

(2) A comprehensive plan prepared by the Administrator for providing space for Federal officers and employees in the building.

(3) A plan for inclusion of an international cultural and trade center comprising not to exceed 500,000 occupiable square feet, including a leasing plan prepared by the Commission for occupancy of such center and a plan for permitting conversion of space not used for such center to office space.

(4) A comprehensive plan for providing security for the building and its occupants and contents.

(5) A comprehensive plan for providing parking for motor vehicles of occupants of and visitors to the building and for providing access to the building by delivery and service vehicles.

(6) A statement prepared by the Administrator of rents and other housing costs currently being paid by the United States for Federal agencies to be housed in the building.

(7) Design criteria for the building.

(8) An estimate of the cost of construction of the building and of the annual cost to the United States of leasing the building under section 1105 of this title.

(9) Environmental impact documentation for development of the Federal Triangle property under Federal laws and regulations.

(10) An analysis of the economic impact in the metropolitan area which includes the District of Columbia of development of the Federal Triangle property.

(11) Terms and conditions approved by the Administrator for inclusion in the lease agreement under section 1105 of this title.

(b) Limitations

(1) Size of building

The building (including parking facilities) to be constructed on the Federal Triangle property may not exceed 3,100,000 gross square feet in size.

(2) Height of building

The height of the building shall be compatible with the height of surrounding Government buildings.

(3) Design

The building shall be designed in harmony with historical and Government buildings in the vicinity, shall reflect the symbolic importance and historic character of Pennsylvania Avenue and the Nation's Capital, and shall represent the dignity and stability of the Federal Government.

(c) Consultation requirement

In preparing the development proposal under subsection (a) of this section, the Corporation shall consult the Secretary of State, the Administrator, and the Commission.

(d) Duties of Administrator and Commission**(1) Administrator**

The Administrator shall prepare and submit to the Corporation for inclusion in the development proposal under subsection (a) of this section—

(A) a comprehensive plan for providing space for Federal officers and employees in the building to be constructed on the Federal Triangle property;

(B) a statement of rents and other housing costs currently being paid by the United States for Federal agencies to be housed in the building; and

(C) a list of terms and conditions which the Administrator has approved for inclusion in the lease agreement to be entered into under section 1105 of this title.

(2) Commission

The Commission shall prepare and submit to the Corporation for inclusion in the development proposal under subsection (a) of this section a leasing plan for occupancy of the international cultural and trade center under section 1107 of this title.

(e) Review and approval of development proposal by GSA and others**(1) Submission for review**

As soon as practicable but not later than 365 days after August 21, 1987, the Corporation shall submit the development proposal prepared under subsection (a) of this section to the General Services Administration, the Commission, the National Capital Planning Commission, and the Commission of Fine Arts.

(2) Approval or recommended modifications

Not later than 60 days after the date of submission of the development proposal under paragraph (1), each governmental entity referred to in paragraph (1) shall notify the Corporation of approval or recommended modifications of the development proposal. If such governmental entity does not notify the Corporation of its approval or recommended modifications of the proposal within such 60-day period, such governmental entity shall be deemed to have approved the proposal.

(3) Consultation

In the event a governmental entity referred to in paragraph (1) submits recommended modifications of the development proposal within the 60-day period described in para-

graph (2), the Corporation shall consult such entity regarding such modifications and may modify such proposal to take into account one or more of such recommended modifications.

(f) Submission for Congressional review

Not later than 150 days after the date of submission of the development proposal to governmental entities under subsection (e)(1) of this section, the Corporation shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives for review and approval the development proposal with any modifications made under subsection (e)(3) of this section, a statement of the areas of difference between such proposal and the recommended modifications of each such governmental entity, and the views of the Corporation with respect to such differences.

(g) Funding

Not later than 60 days after August 21, 1987, the Administrator shall transfer from amounts appropriated to the Administrator \$800,000 to the Corporation for carrying out this section.

(Pub. L. 100-113, § 4, Aug. 21, 1987, 101 Stat. 736.)

CHANGE OF NAME

Committee on Public Works and Transportation of House of Representatives treated as referring to Committee on Transportation and Infrastructure of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1104, 1106 of this title.

§ 1104. Construction of building**(a) Selection process****(1) General rule**

Upon approval of the development proposal submitted under section 1103(f) of this title by resolutions adopted by the Committee on Environment and Public Works of the Senate and the Committee on Public Works of the House of Representatives, the Corporation in accordance with its policies and procedures for a development competition, shall select a person to develop the Federal Triangle property.

(2) Consultation requirement

In selecting a person to develop the Federal Triangle property, the Corporation shall consult the Administrator and the Commission.

(3) Competition

The Corporation shall conduct a competition for selection of a person to develop the Federal Triangle property. Such competition shall be conducted in accordance with the existing policies and procedures of the Corporation for a development competition.

(4) Prohibition on payments for bids and designs

The Corporation may not make any payment to any person for any bid or design proposal under the competition conducted under this subsection.

(b) Development agreement**(1) Authority to enter**

The Corporation may enter into an agreement for the development of the Federal Triangle property in accordance with the development proposal approved under subsection (a) of this section with the person selected to develop the Federal Triangle property.

(2) Contents

The development agreement under paragraph (1) shall at a minimum provide for the following:

(A) The construction of a building on the Federal Triangle property in accordance with the architectural plans and specifications selected under the development competition.

(B) Ownership of such property and building will be by the United States; except that the person selected under subsection (a) of this section may own such building for a term not to exceed 35 years beginning on the date on which construction of such building commences.

(C) The Administrator to lease such building from such person for the term determined under subparagraph (B).

(D) Inspection of such building during construction by the Administrator and the Corporation.

The agreement shall include a copy of the lease agreement and technical directives and specifications prepared by the Administrator entered into by the Administrator and such person under section 1105 of this title.

(c) Connection with rail system

The building to be constructed under this section may be connected with the rapid rail system operated by the Washington Metropolitan Area Transit Authority via a station located on the Federal Triangle property. The construction cost of making such connection shall be the responsibility of the person selected to develop the Federal Triangle property. The Washington Metropolitan Transit Authority may not charge any fee or other amount for the connection of such building to such rail system.

(d) Construction standards and inspection

The building constructed under this section shall meet all standards applicable to construction of a Federal building. During construction, the Administrator and the Corporation shall conduct periodic inspections of such building for the purpose of assuring that such standards are being met.

(e) Treatment of PADC

For purposes of any State or local law (including laws relating to taxation and building permits and inspections), the Corporation with respect to development of the Federal Triangle property shall be treated as the General Services Administration is treated with respect to acquisition and construction of a Federal building.

(f) Applicability of certain laws

Any person who enters into an agreement with the Corporation under subsection (b) of this sec-

tion for development of the Federal Triangle property shall not, with respect to such development, be subject to any State or local law relating to building permits and building inspection. Such property and any improvements to such property shall not be subject to real and personal property taxation, or special assessments.

(g) Treatment of Federal Triangle development area

For purposes of the Pennsylvania Avenue Development Corporation Act of 1972 [40 U.S.C. 871 et seq.] (other than section 5) [40 U.S.C. 874], the Federal Triangle development area shall be treated as being a part of the development area described in section 2(f) of such Act (40 U.S.C. 871(f)). The Corporation shall have the same authority with respect to the Federal Triangle development area as it has with respect to the development area described in such section 2(f).

(h) Powers of Corporation

The Corporation shall have with respect to its duties under this chapter any powers which the Corporation has under section 6 (other than paragraphs (9) and (10)) of the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 875) with respect to its duties under such Act. The Corporation may enter into agreements with any Federal agency or the Commission with respect to this chapter, or as permitted or authorized by section 1535 of title 31.

(i) Authorization of appropriation

There is authorized to be appropriated, from the fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)), to the Administrator for transfer to the Corporation for carrying out this section and section 1103 of this title \$3,700,000 for fiscal year 1988. Such sums shall remain available until expended.

(Pub. L. 100-113, § 5, Aug. 21, 1987, 101 Stat. 738.)

REFERENCES IN TEXT

The Pennsylvania Avenue Development Corporation Act of 1972, referred to in subsecs. (g) and (h), is Pub. L. 92-578, Oct. 27, 1972, 86 Stat. 1266, as amended, which is classified to chapter 19 (§ 871 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 871 of this title and Tables.

CHANGE OF NAME

Committee on Public Works of House of Representatives changed to Committee on Public Works and Transportation of House of Representatives by House Resolution No. 988, Ninety Third Congress, Oct. 8, 1974, effective Jan. 3, 1975. Committee on Public Works and Transportation of House of Representatives treated as referring to Committee on Transportation and Infrastructure of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1102, 1105, 1106, 1107 of this title.

§ 1105. Lease of building by GSA**(a) Entry into agreement**

Before the development agreement is entered into under section 1104 of this title, the Admin-

istrator shall enter into with the person selected to construct the building under section 1104 of this title an agreement for the lease of such building for Federal office space and the international cultural and trade center space.

(b) Terms of agreement

The agreement entered into under this section shall include at a minimum the following terms:

(1) The Administrator will lease the building for the term that the person selected to construct the building owns the building.

(2) The rental rate per square foot of occupiable space for all space in the building will be in the best interest of the United States and carry out the objectives of this chapter, but in no case may the aggregate rental rate for all space in the building produce an amount less than the amount necessary to amortize the cost of development of the Federal Triangle property over the term of the lease.

(3) Obligations of funds from the Federal Building Fund shall only be made on an annual basis to meet lease payments.

(4) The Administrator will be permitted to sublease to the Commission for establishment, operation, and management of the international cultural and trade center under section 1107 of this title.

(c) Accounting system

The Administrator shall maintain an accounting system for operation and maintenance of the building to be constructed under section 1104 of this title which will permit accurate projections of the dates and the costs of major repairs, improvements, reconstructions, and replacements of such building and other capital expenditures on such building. The Administrator shall take such action as may be necessary to assure that funds are available to cover such projected costs and expenditures.

(d) Obligation of funds

Obligation of funds to make lease payments under this section may only be made on an annual basis and from amounts in the fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)).

(Pub. L. 100-113, §6, Aug. 21, 1987, 101 Stat. 740.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1103, 1104, 1107 of this title.

§ 1106. International Cultural and Trade Center Commission

(a) Establishment

There is established a commission to be known as the International Cultural and Trade Center Commission.

(b) Duties of Commission

The duties of the Commission are as follows:

(1) To participate in accordance with section 1103 of this title in the planning of the building to be constructed under section 1104 of this title.

(2) To enter into an agreement with the Administrator under section 1107 of this title for

the lease of space in the building constructed under section 1104 of this title for establishment, operation, and maintenance of an international cultural and trade center.

(3) To operate and manage any space leased under section 1107 of this title in accordance with the objectives of this chapter.

(4) To prepare under section 1107 of this title an annual report on the operation and management of such space.¹

(c) Membership

(1) Number and appointment

The Commission shall be composed of 14 members as follows:

(A) The Secretary of State or his delegate.

(B) The Secretary of Commerce or his delegate.

(C) The Secretary of Agriculture or his delegate.

(D) The United States Trade Representative or his delegate.

(E) The Administrator or his delegate.

(F) The Chairman of the Corporation or his delegate.

(G) The Mayor of the District of Columbia or his delegate.

(H) The Chairman of the National Endowment for the Arts or his delegate.

(I) 6 individuals appointed by the President one of whom shall be a resident and registered voter of the District of Columbia and all of whom shall be specially qualified to serve on the Commission by virtue of their education, training, or experience in international trade, commerce, cultural exchange, finance, business, or management of facilities similar to the international cultural and trade center described in section 1107 of this title.

A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(2) Terms

(A) General rule

Except as provided in subparagraph (B), the terms of office of the private sector Members² first taking office shall begin on August 21, 1987, and shall expire as designated at the time of appointment, two at the end of two years, two at the end of four years, and two at the end of six years.

(B) Filling a vacancy

Any member of the Commission appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of his term until his successor has taken office.

(3) Pay

Members of the Commission shall serve without pay; except that any member of the Commission appointed under paragraph (1)(I) shall while attending meetings of and attend-

¹ See References in Text note below.

² So in original. Probably should not be capitalized.

ing hearings held by the Commission be entitled to travel or transportation expenses in accordance with section 5703 of title 5.

(4) Quorum

8 members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(5) Designation of Chairman

The Chairman and Vice Chairman of the Commission shall be designated by the President; except that the Chairman may only be designated from individuals appointed under paragraph (1)(I).

(6) Meetings

The Commission shall meet at the call of the Chairman but no less often than every 4 months.

(d) Staff of Commission

(1) General rule

The Commission shall have a staff, including an executive director. Such staff shall be composed of individuals who may either be appointed under paragraph (2) or detailed under paragraph (3); except that the staff of the Commission may not at any time be composed of more than 15 individuals.

(2) Authority to appoint

The Commission may appoint and fix the pay of not to exceed 10 individuals, including an individual to serve as the executive director of the Commission. Staff appointed under this paragraph shall be appointed subject to the provisions of title 5 governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates; except that—

(A) the individual appointed to serve as the executive director and one other individual appointed to the staff of the Commission may be appointed and compensated without regard to such provisions; and

(B) the pay of any individual (other than the 2 individuals referred to in subparagraph (A)) appointed under this paragraph shall be at a rate not to exceed the maximum rate of basic pay payable for GS-17 of the General Schedule.

(3) Detail

Subject to paragraph (1), upon request of the Commission, the Secretary of State, the Secretary of Commerce, the Secretary of Agriculture, the Special Trade Representative, and the Administrator may detail, on a reimbursable basis, such of the personnel of the department or agency such person heads as may be necessary to assist the Commission in carrying out its duties under this chapter.

(e) Office space and supplies

Upon request of the Commission, the Secretary of State, the Secretary of Commerce, the Secretary of Agriculture, the Special Trade Representative, and the Administrator may provide, on a reimbursable basis, such office space, supplies, equipment, and other support services as

may be necessary for the Commission to carry out its duties under this chapter.

(f) Powers of Commission

(1) Hearings and sessions

The Commission may, for the purpose of carrying out its duties under this chapter, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission considers appropriate.

(2) Powers of members and agents

Any member or agent of the Commission may, if so authorized by the Commission, take any action which the Commission is authorized to take by this subsection.

(3) Obtaining official data

The Commission may obtain from any department or agency of the United States information necessary to enable it to carry out its duties under this chapter. Upon request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(4) Gifts

The Commission may accept, use, and dispose of gifts or donations of services or property.

(5) Mails

The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(6) Authority to contract out

Subject to applicable provisions of law, the Commission may enter into such contracts or agreements as the Commission considers appropriate to carry out any of its duties under this chapter.

(7) Experts and consultants

The Commission may procure temporary and intermittent services under section 3109(b) of title 5.

(g) Limitation on expenses

(1) Maximum amount

The maximum amount of expenses (including salaries, travel expenses, expenses for temporary and intermittent services, expenses under contracts or agreements entered into under subsection (f)(7) of this section, and supply expenses) which the Commission may incur in any fiscal year may not exceed \$1,000,000 in any fiscal year.

(2) Adjustment for inflation

Any dollar amount referred to in this subsection, subsection (h)(3) of this section, and section 1107(d) of this title may be adjusted by the Commission annually to reflect a percentage increase or decrease in the Consumer Price Index for All Urban Consumers for the preceding calendar year, as determined by the United States Department of Labor, Bureau of Labor Statistics.

(h) Funding

(1) Requests for transfers

If the Commission incurs any expenses in carrying out its duties under this chapter, the

Commission may request the Secretary of State, the Administrator, or any other Federal official referred to in subsection (c)(1) of this section to transfer to the Commission an amount equal to such expenses from funds appropriated to such official.

(2) Authority for transfers

Subject to paragraphs (3) and (5), any official referred to in paragraph (1) may transfer such amounts from funds appropriated to such official as may be necessary to enable the Commission to carry out its duties under this chapter.

(3) Maximum amount of requests and transfers

The aggregate amount of requests for transfers, and the aggregate amount of transfers, under this subsection may not exceed \$1,000,000 in any fiscal year.

(4) Deposit of receipts

The Commission shall deposit all amounts it receives under this subsection into the account established by section 1107(d) of this title.

(5) Limitation on effect

This subsection shall not be effective with respect to any fiscal year beginning after the last day of the 2-year period beginning on the first day the Commission deposits under section 1107(c) of this title funds into the account established by section 1107(d) of this title.

(Pub. L. 100-113, § 7, Aug. 21, 1987, 101 Stat. 741; Pub. L. 105-277, div. G, title XIII, § 1335(h), Oct. 21, 1998, 112 Stat. 2681-788.)

REFERENCES IN TEXT

The annual reporting requirement under section 1107 of this title, referred to in subsec. (b)(4), was omitted from the Code. See Codification note under section 1107 of this title.

The provisions of title 5 governing appointments in the competitive service, referred to in subsec. (d)(2), are classified generally to section 3301 et seq. of Title 5, Government Organization and Employees.

AMENDMENTS

1998—Subsec. (c)(1). Pub. L. 105-277, § 1335(h)(1)(A), substituted “14 members” for “15 members” in introductory provisions.

Subsec. (c)(1)(F) to (J). Pub. L. 105-277, § 1335(h)(1)(B), (C), redesignated subpars. (G) to (J) as (F) to (I), respectively, and struck out former subpar. (F) which read as follows: “The Director of the United States Information Agency or his delegate.”

Subsec. (c)(3), (5). Pub. L. 105-277, § 1335(h)(2), substituted “paragraph (1)(I)” for “paragraph (1)(J)”.

Subsecs. (d)(3), (e). Pub. L. 105-277, § 1335(h)(3), which directed the amendment of subsecs. (d)(3) and (e) by substituting “and the Administrator” for “the Administrator and the Director of the United States Information Agency”, was executed by making the substitution for “the Administrator, and the Director of the United States Information Agency”, to reflect the probable intent of Congress.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective Oct. 1, 1999, see section 1301 of Pub. L. 105-277, set out as an Effective Date note under section 6531 of Title 22, Foreign Relations and Intercourse.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General

Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1107, 1109 of this title.

§ 1107. Operation and management of international cultural and trade center

(a) Lease of space

(1) Agreement

The Administrator and the Commission shall enter into an agreement for the Commission to lease from the Administrator not to exceed 500,000 square feet of occupiable space in the building to be constructed under section 1104 of this title to serve as an international cultural and trade center.

(2) Size

The Commission shall determine the amount of space necessary for operation of the international cultural and trade center based upon demand, except that such space may not exceed 500,000 square feet of occupiable space. Upon certification of such demand by the Commission, the Administrator shall lease such amount of space to the Commission.

(3) Terms

The agreement entered into under this subsection shall include at a minimum the following terms:

(A) The Commission will be permitted to sublease its space in such building to foreign missions, commercial establishments sponsored by foreign governments, and international cultural and trade organizations, including domestic organizations and State and local governments.

(B) All space leased by the Commission from the Administrator will be at such rate as the Administrator and the Commission may agree but not less than the rate established under section 1105(b)(2) of this title plus such amount as the Administrator determines is necessary to pay on an annual basis for the costs of administering such building (including operation, maintenance, and rehabilitation costs) which are attributable to such space.

(C) Such terms relating to default and nonperformance as the Administrator considers appropriate to protect the interests of the United States.

(b) Establishment of center

(1) By Commission

The Commission shall establish, operate, and maintain an international cultural and trade center in the space leased from the Administrator under subsection (a) of this section.

(2) Contents

The international cultural and trade center may include the following:

(A) Office space for foreign missions and domestic and international organizations in-

volved in international trade or cultural activities.

(B) A world exhibition center providing space for exhibits from foreign nations.

(C) An international bazaar providing space for commercial establishments sponsored by foreign governments.

(D) An international center providing a centralized foreign trade reference facility, conference and meeting facilities, and audio-visual facilities for translating foreign languages.

(E) Such other facilities as are consistent with the objectives of this section.

(3) Subleasing of space

(A) Agreements

The Commission may enter into agreements with foreign missions and international cultural and trade organizations (including domestic organizations and State and local governments) to sublease any or all of the space it leased from the Administrator under subsection (a) of this section. Space subleased to such missions and organizations may only be used for establishment of trade centers and exhibitions, offices, and commercial establishments described in paragraph (2) and such other facilities as the Commission determines are consistent with an international cultural and trade center.

(B) Terms and conditions

An agreement entered into under this subsection shall be subject to such terms and conditions as the Commission determines are appropriate to carry out the objectives of this chapter. The rental rate per square foot of occupiable space for space subleased under this subsection shall be determined in accordance with subsection (c) of this section; except that the Commission may adjust such rate with respect to any space subleased to a foreign mission in accordance with the recommendations of the Secretary of State acting in accordance with section 204(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4304(b)). The Secretary of State may reimburse the Commission for any expenses which are incurred by the Commission as a result of making adjustments in the rental rate for space under this subparagraph.

(4) Reference facility and cultural events

The Commission may establish in a portion of the space leased from the Administrator under this section a centralized foreign trade reference facility and conference and meeting facilities and audio-visual facilities for translating foreign languages. The Commission may permit cultural events and other activities to be held in a portion of such space. The Commission shall establish in accordance with subsection (c) of this section fees and charges for—

(A) the use of such facilities and auditorium, and

(B) the holding of such events and activities.

(c) Rents and fees

(1) Establishment of amount

The Commission shall establish the amounts of fees under subsection (b)(4) of this section, and establish a rental rate for space subleased under subsection (b)(3) of this section, taking into account the objectives of this section and the best interests of the United States. In any fiscal year beginning after the last day of the 2-year period beginning on the first day the Commission deposits under this subsection funds into the account established under subsection (d) of this section, the aggregate amount of such fees and rent shall not be less than the cost to the Commission of subleasing space from the Administrator under subsection (a) of this section in such fiscal year plus the expenses (including salaries, travel expenses, expenses for temporary and intermittent services, expenses under contracts or agreements entered into under subsection¹ 1106(f)(7) of this title, supply expenses and any reimbursable expenses) incurred by the Commission in carrying out its duties under this chapter in such fiscal year.

(2) Collection

The Commission shall collect—

(A) rent for space subleased under subsection (b) of this section; and

(B) fees and charges under subsection (b) of this section.

(3) Deposit

The Commission shall deposit all amounts collected under this subsection and all amounts transferred by the Secretary of State to the Commission under subsection (b)(3)(B) of this section into the account established under subsection (d) of this section.

(d) Separate account

(1) Establishment

There is established in the Treasury of the United States a separate account.

(2) Contents

The account shall include all amounts deposited by the Commission under subsection (c) of this section and section 1106(h) of this title.

(3) Availability

Amounts in the account established under this subsection shall be available to the Commission to pay—

(A) all rents owed to the Administrator for lease of space under subsection (a) of this section; and

(B) all expenses (including salaries, travel expenses, expenses for temporary and intermittent services, expenses under contracts or agreements entered into under section 1106(f)(7) of this title, and supply expenses) incurred by the Commission in carrying out its duties under this chapter but not exceeding \$1,000,000 in any fiscal year.

(4) Payments

The Commission shall pay, from amounts in the account established by this subsection—

¹ So in original. Probably should be "section".

(A) for lease of space under subsection (a) of this section on an annual basis amounts owed to the Administrator for deposit into the fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)); and

(B) all expenses incurred by it in carrying out its duties under this chapter but not exceeding \$1,000,000 in any fiscal year.

(5) Transfer of excess funds

Periodically, but not less often than once per fiscal year, funds which the Commission determines are in excess of those needed to make the payments described in paragraph (4) shall be transferred by the Commission from the account established under this subsection to the fund established under section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)).

(Pub. L. 100–113, § 8, Aug. 21, 1987, 101 Stat. 744.)

CODIFICATION

Subsec. (h) of this section, which required the International Cultural and Trade Center Commission to prepare and transmit to certain committees of Congress an annual report and budget related to the international cultural and trade center, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 175 of House Document No. 103–7.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1103, 1105, 1106 of this title.

§ 1108. Designation of Departmental Auditorium

(a) The Departmental Auditorium, located on the Federal Triangle between the Custom Service building and Interstate Commerce Commission building on Constitution Avenue, shall on and after August 21, 1987, be known and designated as the “Andrew W. Mellon Auditorium”.

(b) Any reference in any law, regulation, document, record, map or other paper of the United States to the auditorium referred to in subsection (a) of this section is deemed to be a reference to the “Andrew W. Mellon Auditorium”.

(Pub. L. 100–113, § 9, Aug. 21, 1987, 101 Stat. 746.)

§ 1109. Definitions

As used in this chapter—

(1) Administrator

The term “Administrator” means the Administrator of General Services.

(2) Commission

The term “Commission” means the International Cultural and Trade Center Commission established by section 1106 of this title.

(3) Corporation

The term “Corporation” means the Pennsylvania Avenue Development Corporation.

(4) Federal Triangle development area

The term “Federal Triangle development area” means the area which begins at a point on the southwest corner of the intersection of Fourteenth Street and Pennsylvania Avenue

(formerly E Street), Northwest; thence southerly along the west side of Fourteenth Street to the northwest corner of the intersection of Fourteenth Street and Constitution Avenue, Northwest; thence easterly along the north side of Constitution Avenue to the northeast corner of the intersection of Twelfth Street and Constitution Avenue, Northwest; thence northerly along the east side of Twelfth Street and Constitution Avenue, Northwest; thence northerly along the east side of Twelfth Street to the southeast corner of the intersection of Twelfth Street and Pennsylvania Avenue, Northwest; thence westerly along the south side of Pennsylvania Avenue to the point of beginning being the southwest corner of the intersection of Fourteenth Street and Pennsylvania Avenue (formerly E Street), Northwest.

(5) Federal Triangle property

The term “Federal Triangle property” means—

(A) the property owned by the United States in the District of Columbia, known as the “Great Plaza” site, which consists of squares 256, 257, 258, parts of squares 259 and 260, and adjacent closed rights-of-way as shown on plate IV of the King Plats of 1803 located in the Office of the Surveyor of the District of Columbia; and

(B) any property acquired by the Corporation under section 1102(b) of this title;

except that for purposes of section 1102 of this title such term does not include any property referred to in subparagraph (B).

(Pub. L. 100–113, § 10, Aug. 21, 1987, 101 Stat. 747.)

CHAPTER 23—JUDICIARY OFFICE BUILDING DEVELOPMENT

Sec.	
1201.	Findings and purposes. <ul style="list-style-type: none"> (a) Findings. (b) Purposes.
1202.	Construction of building. <ul style="list-style-type: none"> (a) Selection process. (b) Development agreement. (c) Chilled water and steam from Capitol Power Plant. (d) Construction standards and inspections. (e) Applicability of certain laws.
1203.	Lease of building by Architect of the Capitol. <ul style="list-style-type: none"> (a) Entry into lease agreement. (b) Terms of lease agreement. (c) Accounting system. (d) Obligation of funds.
1204.	Structural and mechanical care and security. <ul style="list-style-type: none"> (a) Structural and mechanical care. (b) Security. (c) Authority of Capitol Police.
1205.	Allocation of space. <ul style="list-style-type: none"> (a) Governmental entities. (b) Nongovernmental tenants. (c) Deposit of rent and reimbursements.
1206.	Commission for Judiciary Office Building. <ul style="list-style-type: none"> (a) Establishment. (b) Membership. (c) Duties. (d) Quorum.
1207.	Funding. <ul style="list-style-type: none"> (a) Separate account. (b) Unexpended balances of funds.
1208.	Definitions.